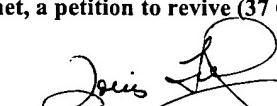


FORM PTO-1390 (REV. 10-2003)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 30816-0094
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10 / 518202 <small>Unknown</small>
INTERNATIONAL APPLICATION NO. PCT/US2004/32071	INTERNATIONAL FILING DATE September 30, 2004		PRIORITY DATE CLAIMED September 30, 2004	
TITLE OF INVENTION GAS FIRED PORTABLE UNVENTED INFRARED HEATER				
APPLICANT(S) FOR DO/EO/US Mr. Heater, Inc.				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). </p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input checked="" type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>				
<p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information:</p> <p style="margin-left: 20px;">Return postcard</p>				

U.S. APPLICATION NO. if known, see 37 CFR 1.51 134518202 unknown		INTERNATIONAL APPLICATION NO. PCT/US2004/32071	ATTORNEY'S DOCKET NUMBER 30816-0094
21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =		CALCULATIONS PTO USE ONLY	
		\$ 770	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	30 - 20 =	10	x \$18.00
Independent claims	1 - 3 =	0	x \$86.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$290.00	\$ 0
TOTAL OF ABOVE CALCULATIONS =		\$ 950	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$	
SUBTOTAL =		\$ 475	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$ 0	
TOTAL NATIONAL FEE =		\$ 475	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$ 40	
TOTAL FEES ENCLOSED =		\$ 515	
		Amount to be refunded:	\$
		charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ 515 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0983. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.			
SEND ALL CORRESPONDENCE TO:			
Louis F. Wagner Buckingham, Doolittle & Burroughs, LLP 50 S. Main St. Akron, OH 44308			
 SIGNATURE Louis F. Wagner			
NAME			
35,730			
REGISTRATION NUMBER			

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
UNDER 37 CFR 1.10 - SEPARATE PAPER

10/518202

DT01 Rec'd PCT/PTC 16 DEC 2004

Applicant(s): VANDRAK, Brian et al.

Examiner:

Serial No.:

Group Art Unit:

Filed:

Date:

For: GAS-FIRED PORTABLE UNVENTED INFRARED HEATER

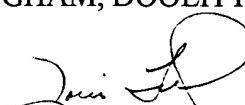
Certificate of Mailing / Transmission (37 C.F.R. 1.8(a))

I hereby certify that this paper or fee is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to **Mail Stop PCT**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

A check in the amount of \$515.00 is enclosed; however, in the event that this fee is not enclosed or is deemed insufficient, the Director is hereby authorized to charge any additional fees which might be required, or credit any overpayment, to Account No. 50-0983.

Respectfully submitted,

BUCKINGHAM, DOOLITTLE & BURROUGHS, LLP

By: 

Louis F. Wagner, Registration No. 35,730

50 S. Main St.
Akron, OH 44308
Telephone: (330) 258-6453
Facsimile: (330) 252-5452
E-Mail: Lwagner@bdblaw.com
Attorney Docket No.: 30816-0094

Enclosures: A Declaration and Power of Attorney
Transmittal Letter (Form PTO-1390) (*in duplicate*)
Application Data Sheet
Preliminary Amendment
Fee Transmittal for FY 2005
Check in the amount of \$750.00 for Filing Fee for a Small Entity
Return Receipt Postcard

«AK3:738294_1»